

U.S. DEPARTMENT OF HOMELAND SECURITY

U.S. DEPARTMENT OF TRANSPORTATION

CALIFORNIA STATE LANDS COMMISSION

PUBLIC HEARING IN THE MATTER OF

CABRILLO PORT LIQUEFIED NATURAL

GAS DEEPWATER PORT

OXNARD PERFORMING ARTS CENTER

800 HOBSON WAY

OXNARD, CALIFORNIA

TUESDAY, NOVEMBER 30, 2004

6:40 P.M.

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

## APPEARANCES

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U.S. Coast Guard Headquarters

Michael Ferris, Director, Office of Financial and  
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State Lands Commission

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## P R O C E E D I N G S

1  
2           MODERATOR MICHAELSON: Good evening. If I could  
3 ask everyone to take their seats, we're ready to begin here,  
4 shortly.

5           Good evening, we're going to go ahead and get  
6 started. My name's Lewis Michaelson, I work for a firm  
7 named Katz & Associates, and I was hired by the State and  
8 the federal government to serve as a neutral moderator for  
9 tonight's public hearing.

10           On behalf of them, we're very glad to see all of  
11 you here, tonight. As you know, this is a very important  
12 opportunity for the community to voice its opinions about  
13 the draft document that's here for review.

14           This is the public hearing on the Cabrillo Port  
15 Liquified Natural Gas Deepwater Port draft Environmental  
16 Impact Statement/Environmental Impact Report.

17           Importantly, we will be calling on you in about 20  
18 minutes, that's about how long the introductory remarks take  
19 from the various presenters here.

20           When we start calling on you, I will be doing that  
21 based upon a card you should have filled out, if you were  
22 interested in speaking tonight.

23           If, for whatever reason, you missed that step on  
24 your way in, there are plenty of cards. If you would go  
25 ahead and fill one of those out, that's the order in which I



1 will be calling upon people. So I just wanted to warn you  
2 about that.

3 And with that, I'm going to turn it over to  
4 Mark Prescott to lead off the meeting.

5 MR. PRESCOTT: Thank you, Lewis.

6 Good evening, ladies and gentlemen, welcome to  
7 this meeting to provide you with an opportunity to present  
8 your comments on the draft Environmental Impact  
9 Statement/Environmental Impact Report that has been  
10 developed for the federal and State governments to analyze  
11 the Cabrillo Port application for a license to own and  
12 operate a natural gas deepwater port off the Coast of  
13 California.

14 This meeting was announced in the Federal Register  
15 on November 5th, 2004, as well as in local newspapers.

16 My name is Mark Prescott, I'm the Chief of the  
17 Deepwater Port Standards Division at U.S. Coast Guard  
18 Headquarters.

19 Accompanying me are Mr. Michael Ferris, of the  
20 Maritime Administration, and Mr. Cy Oggins, from the  
21 California State Lands Commission.

22 In a few moments, they'll provide you with a short  
23 overview of their agency's responsibilities regarding the  
24 deepwater port application.

25 But first, I'd like to give you a brief overview

1 of the general process and the role of the Coast Guard.

2 As background, in 1974 Congress passed the  
3 Deepwater Ports Act to license and regulate deepwater ports  
4 for the handling of oil. Under that Act, the Secretary of  
5 Transportation is responsible for issuing or denying a  
6 license.

7 The Secretary delegated the processing of the  
8 deepwater port application to the Coast Guard and the  
9 Maritime Administration, and then earlier this year the  
10 Secretary further delegated responsibility for issuing or  
11 denying a license to the Maritime Administrator.

12 Over the past 30 years, only one deepwater port  
13 has operated in the U.S. That is the Louisiana Offshore Oil  
14 Port, off the Coast of Louisiana.

15 In November 2002 Congress passed the Maritime  
16 Transportation Security Act, which amended the Deepwater  
17 Ports Act by expanding its application to natural gas.

18 In the two years since the passage of that Act,  
19 the Coast Guard and the Maritime Administration have  
20 received eight applications for natural gas deepwater ports.

21 One of those applications was submitted on  
22 September 3rd, 2003 by BHP Billiton LNG International, to  
23 own, construct, and operate a natural gas deepwater port  
24 approximately 14 miles off the Coast of Ventura County.

25 The law requires the Coast Guard and the Maritime

1 Administration to determine if the application contains all  
2 the required information.

3 On January 27th, 2004 the Coast Guard and the  
4 Maritime Administration published a notice in the Federal  
5 Register, stating that we had received the Cabrillo Port  
6 application, and that it appeared to contain required  
7 information.

8 In order to issue a deepwater port license, the  
9 Secretary of Transportation must find that the applicant is  
10 financially responsible, that it can and will comply with  
11 applicable laws and regulations, and that construction of  
12 the port is in the national interest.

13 In addition, a deepwater port must not interfere  
14 with international navigation or other reasonable uses of  
15 the high seas, and the construction of the port must  
16 represent the best available technology, to minimize adverse  
17 impact on the environment.

18 In order to carry out these requirements, the  
19 Coast Guard determined that an Environmental Impact  
20 Statement must be prepared in accordance with the National  
21 Environmental Policy Act, or NEPA.

22 In addition, the proposed project would require a  
23 land lease from the California State Lands Commission. As a  
24 result, the proposed deepwater port must comply with the  
25 California Environmental Quality Act, or CEQA, which

1 requires the preparation of an Environmental Impact Report.

2           The Coast Guard and the California State Lands  
3 Commission decided to prepare a single Environmental Impact  
4 Statement/Environmental Impact Report, as agreed to in a  
5 memorandum of agreement between our agencies.

6           One other criterion that is considered is that the  
7 Governor of the adjacent coastal state must approve of the  
8 project.

9           On February 27th, 2004 a notice of intent/notice  
10 of preparation to prepare the EIS/EIR for this project, and  
11 a notice of public meeting was published.

12           On March 15th and 16th we held public scoping  
13 meetings here, in Oxnard, and in Malibu, respectively.  
14 Those meetings were widely attended and provided us with  
15 numerous comments, that we have addressed in the draft  
16 EIS/EIR.

17           Following those meetings, we suspended the  
18 processing of the application for approximately 150 days to  
19 obtain and analyze additional data. Some of the needed data  
20 was a direct result of comments received at the scoping  
21 meetings.

22           One specific example was a development and  
23 analysis of a new onshore pipeline alternative in Oxnard.

24           I want to emphasize that this meeting is not the  
25 only opportunity to provide comments on this EIS/EIR. If

1 you would like to provide written comments on the  
2 environmental document, they should be received by December  
3 20th, 2004. Information on how to do that should be  
4 contained in handouts at the front desk.

5 In addition, as required by the Deepwater Port  
6 Act, the Coast Guard and the Maritime Administration will  
7 hold another public hearing in California to receive  
8 comments on the application, itself, for consideration in  
9 developing the record of decision for the Cabrillo Port  
10 Application.

11 With that as general background, I'll give you a  
12 bit more detail on the Coast Guard's responsibilities, and  
13 then allow my colleagues to describe their agency's roles.

14 Although the Maritime Administrator will  
15 ultimately decide, from the federal standpoint, on whether  
16 or not to grant a license for this proposed deepwater port,  
17 the Coast Guard has the lead in developing a significant  
18 amount of input necessary for that decision.

19 Specifically, we're the lead federal agency for  
20 the development of the Environmental Impact Statement. In  
21 carrying out that responsibility, we've sought input from  
22 the public, and other federal agencies. In the case of this  
23 application, we're working very closely with the State of  
24 California.

25 I would like to stress that in processing this

1 application, or any deepwater port application, the Coast  
2 Guard is neither a proponent, nor an opponent, of the  
3 project.

4 In addition to completing the Environmental Impact  
5 Statement, with the State, the Coast Guard has a number of  
6 other areas that it's responsible for. These include  
7 evaluation of the proposed engineering design standards, the  
8 operations manual, and security plans.

9 In addition, the Coast Guard District Office and  
10 local Captain of the Port will be directly involved in  
11 developing waterways management, operations, and security  
12 requirements.

13 The Coast Guard is responsible for ensuring that  
14 any vessel that calls on a U.S. port is in compliance with  
15 various U.S. laws and regulations, and international  
16 standards for the design, construction, and operation, and  
17 security of the vessel.

18 At this time I'm going to hand the microphone to  
19 Mike Ferris, with the Maritime Administration, to describe  
20 their responsibility.

21 MODERATOR MICHAELSON: Mr. Prescott, while you're  
22 doing that, I just want to make a quick announcement. I see  
23 a lot of people standing by the door. There are still  
24 plenty of seats on the other side, to my left, and up  
25 towards the front. So if you'd like a seat, if you would

1 make your way behind the back, over to this side, you can  
2 find a seat. Thank you.

3 Mr. Ferris.

4 MR. FERRIS: Thank you. Good evening, my name is  
5 Michael Ferris, I'm a representative for the Maritime  
6 Administration at this meeting.

7 Together, with the U.S. Coast Guard, the Secretary  
8 of Transportation has charged us with processing deepwater  
9 port applications for the federal government.

10 Further, the Secretary has placed the  
11 responsibility for issuing or denying deepwater port  
12 licenses with the Maritime Administration.

13 The Environmental Impact Statement is a major and  
14 important step in the deepwater port application process.

15 Early on in this process a series of meetings were  
16 held here, in California, in partnership with the State  
17 Lands Commission, where you expressed your concerns and  
18 provided areas of interest to be addressed in the joint  
19 Environmental Impact Statement/Environmental Impact Report.

20 Cheryl Karpowicz, and the staff at E&E, along with  
21 many staff members from involved federal, State, and local  
22 government agencies, worked hard to produce a comprehensive  
23 document, addressing your concerns.

24 I want to thank everyone who put this draft  
25 together.

1           But we are not done, yet. We are back, now, to  
2 see how we can make this a better document. Your comments  
3 will help us do just that and are greatly appreciated.

4           Now, where do we go from here? We're going to  
5 take your comments concerning Cabrillo Port, made here and  
6 those written, which can be made through December 20th, and  
7 try to make a better, more comprehensive environmental  
8 document.

9           After the final environmental document is  
10 completed and published, the federal government and the  
11 State government will go through their own separate hearing  
12 and review processes.

13           The Maritime Administration and U.S. Coast Guard  
14 will hold a public hearing early next year, and take  
15 comments from all concerned for up to 45 days after the  
16 final public hearing.

17           After this comment period, the Maritime  
18 Administration will make a decision within 45 days of the  
19 close of comments. The decision will be to issue a license,  
20 reject the application, or issue a license subject to  
21 conditions.

22           The decision will be reflected in a record of  
23 decision and followed by a license, should the application  
24 be accepted. Any conditions in an accepted application will  
25 be reflected in the record of decision and the license.



1 Thank you for your interest and your comments.

2 MR. OGGINS: Good evening. My name is Cy Oggins,  
3 and I am a Staff Environmental Scientist and Project Manager  
4 with the California State Lands Commission.

5 The State Lands Commission has two significant  
6 roles with respect to this project. First, the Commission  
7 has received an application, from BHP Billiton, to use State  
8 lands, offshore California, to place two natural gas  
9 pipelines associated with the proposed project.

10 Second, the State Lands Commission has been  
11 designated as the lead agency under the California  
12 Environmental Quality Act, or CEQA, and as such, we are  
13 responsible for preparing the environmental document, the  
14 Environmental Impact Report, under the California  
15 Environmental Quality Act.

16 As stated in our public notices, and by my  
17 associates up here, we are doing this jointly, with the U.S.  
18 Coast Guard and the Maritime Administration.

19 Under the CEQA, the Commission, at a separate,  
20 noticed public hearing, will make a determination as to  
21 whether or not the environmental document is adequate.

22 Should the Commission certify the environmental  
23 document, the Commission would then consider whether or not  
24 to approve the pipeline right of way lease.

25 The purpose of tonight's meeting, however, is not

1 for me to speak. It's for everyone from the staff of the  
2 State Lands Commission, the Coast Guard, and the Maritime  
3 Administration to listen to everyone on the draft  
4 environmental document.

5 No action by the State Lands Commission will be  
6 taken tonight, and no action will be taken until a final  
7 environmental document will be published and released,  
8 prepared and released. And that will not happen, until the  
9 very earliest, sometime next year.

10 So thank you for taking the time to come here,  
11 tonight, to provide us with your comments.

12 MS. KARPOWICZ: Thank you, Cy.

13 Can you hear me? Good.

14 My name is Cheryl Karpowicz. And the California  
15 State Lands Commission and the U.S. Coast Guard have hired  
16 Ecology & Environment, Incorporated to assist them in  
17 preparing an independent, third party Environmental Impact  
18 Statement/Environmental Impact Report.

19 Our contract is with the California State Lands  
20 Commission, and we are working directly for Cy Oggins and  
21 Mark Prescott.

22 Our job has been to independently verify  
23 information that has been submitted by BHP Billiton, to  
24 analyze alternatives and potential impacts, and to assist  
25 the Coast Guard and the Lands Commission to prepare the

1 document for public review and comment.

2           This slide shows the basic steps in the  
3 environmental review process. We started with the public  
4 notification and scoping last winter. In all, about 305  
5 people participated in the open houses and public scoping  
6 meetings, and we received 200 letters, e-mails, and other  
7 comments. Thank you for your participation.

8           In addition, as part of the independent risk  
9 assessment, we held a one-day security workshop and a three-  
10 day public safety workshop, which were attended by many  
11 local, State, and federal agencies, as well as the project  
12 technical team.

13           During scoping we also received several requests  
14 to translate this EIS/EIR into Spanish, which we did. And  
15 this is the document here.

16           Tonight, we have several people in attendance, who  
17 would be happy to assist you to make your comments in  
18 Spanish or with the Spanish translation.

19           I'm going to make these comments in Spanish.

20           (Spanish comments.)

21           Adrienne Fink, and she's over here, with her hand  
22 up.

23           (Spanish comments.)

24           Coming back to the slide here, this is where we  
25 are right now, in the middle of the process. We have

1 prepared and distributed the EIS/EIR.

2           Tonight, we look forward to hearing your comments  
3 regarding the draft EIS/EIR. We will respond to all  
4 comments in the final EIS/EIR, which we plan to publish and  
5 distribute during the winter of 2005.

6           Here is a map of the proposed project location in  
7 the region. The deepwater port would be located about 14  
8 miles offshore, at the closest point to land. This is the  
9 only place where LNG would be handled.

10           Onshore, a metering station and other facilities  
11 would be built, and underground pipelines would transport  
12 natural gas through Oxnard, and/or Ventura County, and in  
13 Santa Clarita, to the Southern California Gas System.

14           Here is a map showing the regional context, and  
15 this graphic shows the location of the offshore LNG port,  
16 the offshore natural gas pipelines, and the offshore  
17 natural -- or the onshore natural gas pipelines.

18           One of our jobs, in preparing the Environmental  
19 Impact Statement/Environmental Impact Report, is to analyze  
20 both the proposed project and a range of alternatives.

21           The alternatives we examined are shown on this map  
22 and included the no-action alternative, an alternative port  
23 location, alternative shore crossings, two alternatives to  
24 the Center Road pipeline, which have changed since the  
25 scoping meetings, and an alternative to the Santa Clarita

1 pipeline.

2 We evaluated a broad range of environmental issues  
3 and resources for analysis, as contained in the EIS/EIR. In  
4 all, we identified about 118 potential impacts and over 200  
5 mitigation measures. We determined that eight impacts would  
6 remain significant after mitigation.

7 Now, I'd like to turn the microphone over to  
8 Dr. Andy Wolford, to talk about the independent risk  
9 assessment process that the project team used to help us  
10 evaluate public safety aspects of the proposed project.

11 DR. WOLFORD: Thank you, Cheryl.

12 Ecology & Environment subcontracted AJ Wolford &  
13 Associates to conduct an independent risk assessment. The  
14 results of this study are documented in Section 4.2 of the  
15 draft EIS/EIR.

16 This diagram shows the risk assessment process and  
17 how it interfaced with the preparation of the draft  
18 Environmental Impact assessment.

19 I'll describe the major components of the risk  
20 assessment from top to bottom.

21 First, an independent risk assessment team was  
22 formed, that included technical professionals, with  
23 expertise in marine operations, LNG facility design, risk  
24 analysis and risk communication, safety, security,  
25 computational fluid dynamics, and structural engineering.

1           The risk assessment team familiarized themselves  
2 with the proposed system design and operating data, as  
3 provided by the applicant.

4           The accident record for the LNG industry, and the  
5 hazards of LNG as presented by the proposed project, were  
6 reviewed.

7           Accident and security scenarios, that could lead  
8 to a release of LNG, were identified based on public scoping  
9 comments, two intensive workshops, an independent review of  
10 the applicant's conceptual design, operating procedures, and  
11 an independent review of the applicant's confidential  
12 security plan and emergency procedures.

13           Oceanographic and meteorology experts collected  
14 and summarized site-specific weather and ocean conditions  
15 for the proposed offshore location, as these related to  
16 accident scenarios.

17           Marine operations and risk analysts collected and  
18 analyzed marine traffic numbers and patterns, in order to  
19 identify the types and tonnage of vessels transiting waters  
20 near the proposed FSRU location.

21           Scenarios were screened out that would not result  
22 in impacts outside the immediate vicinity of the FSRU, or  
23 were too unlikely to occur.

24           State of the art computer modeling was performed  
25 to determine the extent, timing, and location of LNG and

1 natural gas released.

2 In parallel with this, marine and risk specialists  
3 developed estimated frequencies for ship collisions.

4 Finally, the frequency estimates and the  
5 consequence calculations were combined to estimate risks  
6 posed by the proposed project.

7 Now, I'd like to turn the microphone back to  
8 Mark Prescott, to conclude the team presentations.

9 MR. PRESCOTT: Thank you, Andy.

10 In just a moment I'm going to turn it over to  
11 Mr. Lewis Michaelson to start calling up and getting your  
12 comments.

13 I just want to make two real brief points. At the  
14 meeting we had this afternoon we got a pretty good split of  
15 perspectives, I guess you would say, and I think the respect  
16 that was paid to the opinions of people was very good, and I  
17 would just encourage people to allow people to express their  
18 opinion, whether you necessarily agree with it or not.

19 The other thing I want to point out, and this is  
20 not intended, in any way, to discourage anyone from  
21 speaking, I understand we have, at this time, about 100  
22 people signed up to speak. We're prepared to stay here and  
23 listen to your comments. I think we have the court  
24 reporter.

25 But I just want to stress, if your comment is the

1 same as someone else's, it doesn't necessarily add  
2 additional validity to the comment.

3 We're here to hear about the Environmental Impact  
4 Statement/Environmental Impact Report.

5 So with that, I'll turn it over to Lewis at this  
6 time. Thank you.

7 MODERATOR MICHAELSON: Thanks very much.

8 A few items about commenting tonight. As you  
9 know, there have already been several hours of open houses  
10 to allow people to ask any questions that they had. So this  
11 is not a question and answer format, this is the time for  
12 each one of you to take up to three minutes. And you're not  
13 required to speak for three minutes, a full three minutes,  
14 if you don't feel like it.

15 Also, written comments are given the same  
16 consideration as oral comments. So we encourage everyone  
17 who wants to speak to sign up to do so, but we also want you  
18 to know that if you are, like many Americans, fearful of  
19 public speaking, that's okay, you can put it in written form  
20 and that will be given the same consideration as any oral  
21 comments offered here.

22 In terms of the order of speakers, we will allow  
23 elected officials and public agency officials to go first,  
24 followed by individuals or groups in the order in which they  
25 signed up to speak.



1           If you've already commented, as Mr. Prescott said,  
2 if you feel inclined to allow others, who haven't had that  
3 chance, that would be much appreciated.

4           I'm going to go throughout the night calling five  
5 or six names at a time. We have a row right up here, in  
6 front of me, that says reserved seating.

7           If I call you in a group, if you would move  
8 towards and take one of those seats, that way we can ensure  
9 that people can get to the podium quickly, and we can move  
10 you through this in an efficient manner.

11          As you probably all know, the time limit is three  
12 minutes. And I have a very low-tech way of indicating times  
13 to you. When you've been speaking for two minutes, I'll put  
14 my finger up, like this, indicating you have one minute  
15 left. And when it's three minutes, I'll put my closed fist,  
16 and we need you to wrap up your comments then, so we can  
17 move on, and we're going to stick very tightly to that  
18 three-minute limit. We appreciate your cooperation in doing  
19 that.

20          And, of course, speaking times may not be  
21 combined.

22          I just want to remind you of something that I  
23 think Cy Oggins referred to, and that is no decision is  
24 being made tonight. This is commenting on the draft  
25 document before the final is prepared.

1           So those are the types of comments that are going  
2 to be most useful and helpful at this point in time.

3           The main purpose for the representatives of the  
4 State and federal government being here, tonight, is so that  
5 they can listen firsthand to your comments, and to your  
6 opinions, as we go through the night.

7           Finally, I know many of you feel very strongly  
8 about the issues one way or the other, and that's as the way  
9 it should be, that's why you're here, and we want to hear  
10 from every one of you.

11           What we do request is that in the spirit of  
12 civility and respect for everyone, regardless of what their  
13 opinion is, that you refrain from expressions of either  
14 approval, or disapproval, when people are speaking tonight,  
15 so that everyone can feel comfortable making their comments.

16           And with that, settle in, get comfortable, we're  
17 going to be here for a little while, and we look forward to  
18 your comments.

19           The first several speakers that I have on my list  
20 are Dr. Manuel Lopez, John Zaragoza, the Honorable John  
21 Olsen, Joe Chow, Bill Terry, and Jim Woolway.

22           If you'd come take a seat here, in the front row,  
23 and we will start with Dr. Lopez. Thank you.

24           DR. LOPEZ: Thank you very much. My name is  
25 Dr. Manuel Lopez, Mayor of Oxnard.

COMMENTER T005-1
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1 I testified about my personal concerns regarding  
2 safety to the residents of Oxnard at your preliminary notice  
3 of intent scoping hearing, held here in Oxnard, at the  
4 beginning of the draft EIS process.

5 The Oxnard City Council subsequently submitted the  
6 comprehensive letter, dated March 29th, 2004, outlining the  
7 areas which the City, as the responsible agency, felt needed  
8 to be addressed in the EIS.

9 Today, I want to talk briefly about my personal,  
10 continuing concerns about the wisdom, or lack thereof, of  
11 exposing innocent families and children to the hazards of  
12 developing an experimental project in a populated area.

13 I would like to quote the concluding paragraph of  
14 the City letter, which states that:

15 "Construction of a liquified  
16 natural gas deepwater port and the  
17 associated high pressure terrestrial  
18 pipeline, running through sensitive  
19 habitat, residential and business areas,  
20 adjacent to schools and hospitals, and  
21 along miles of city streets, has the  
22 potential for severe negative  
23 environmental consequences, as well as  
24 significant risks to the safety of  
25 residents and businesses within the City

#### T005-1.1

The deepwater port would be 12.01 nautical miles (13.83 miles) offshore as shown in Figure ES-1. Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. The Cabrillo Port must be designed in accordance with applicable standards, and the U.S. Coast Guard has final approval. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies performance levels that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains information on pipeline safety and inspections. The EIS/EIR's analyses have been developed with consideration of these factors and regulations.

#### T005-1.2

Section 4.13.1 contains information on sensitive land uses in proximity to proposed and alternative pipeline routes, such as schools. There are no schools in the immediate vicinity of either of the proposed pipeline routes. Section 4.2.8 describes regulations regarding pipelines, including the requirement to establish public education programs to prevent and respond to pipeline emergencies. Section 4.2.8.4 contains information on the estimated risk of Project pipeline incidents. Section 4.16.1.2 describes emergency planning and response capabilities in the Project area.

The proposed pipelines within Oxnard city limits would meet standards that are more stringent than those of existing pipelines because they would meet the minimum design criteria for a U.S. Department of Transportation (USDOT) Class 3 location. Also, MM PS-4c includes the installation of additional mainline valves equipped with either remote valve controls or automatic line break controls. SoCalGas operates high-pressure natural gas pipelines throughout Southern California.

1 of Oxnard.

2 "These impacts must be reduced to a  
3 level of less than significant before  
4 any consideration of this proposal, by  
5 any federal or State agency, or by the  
6 City of Oxnard."

7 In 1977, I was a member of the Oxnard Planning  
8 Commission when an onshore LNG project was proposed at  
9 Ormond Beach. Oxnard was the lead agency in the EIR  
10 process. After a heart-wrenching exercise, the project was  
11 denied. But during the process many studies were conducted  
12 and data explored.

13 The most telling, to most of us, was a report on  
14 the ignitable gas plumes associated with an accident at sea.  
15 The plumes would drift inland, depending on the prevailing  
16 winds, for miles.

17 The conclusion was that untold thousands would be  
18 at risk. At that time Oxnard and the County were less  
19 populated and dense than now. Terrorism associated with  
20 current events and supertankers were nonexistent.

21 The energy potential of the current project has  
22 also increased exponentially, and the capacity, size, and  
23 pressure of pipelines is much greater now.

24 For these reasons, I would ask you to err on the  
25 side of caution as you study and interpret your data, in

T005-1.2  
(cont'd)

T005-1.3

Section 4.2.3, the Independent Risk Assessment (Appendix C1), and the Sandia National Laboratories' review of the Independent Risk Assessment (Appendix C2) contain revised information on the conclusions of the 1977 Oxnard report. Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the potential threat of a terrorist attack. The capacity, size, and pressure of the proposed pipelines are comparable to existing pipelines in Oxnard and Ventura County. Section 5.2 summarizes the environmental effects of the proposed Project that cannot be mitigated to less than significant.

T005-1.3

1 order to minimize the risk to thousands of innocent people.  
2 Better yet would be the conclusion, as before, by  
3 decision makers, that the impacts would not be reduced to  
4 less than significant.

T005-1.3  
(cont'd)

T005-1.4

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

5 Today, you will hear from many Oxnard and County  
6 residents voice their specific concerns. Please, listen to  
7 them and place yourself in their situation. Many of them  
8 cannot move, or do not wish to move, because this has been  
9 their home for generations.

T005-1.4

T005-2.1

Thank you for the information.

10 On a personal note, I will be concluding my public  
11 service to Oxnard next week after 12 years as Mayor, and 26  
12 years on the City Council, because I chose not to run for  
13 reelection. But I do not want my legacy to be one where I  
14 just stood idly by while an experimental project, which  
15 placed my City at risk, was planned and permitted to be  
16 developed.

17 Thank you very much.

18 MODERATOR MICHAELSON: Thank you, Dr. Lopez.

19 (Applause.)

20 MODERATOR MICHAELSON: Mr. Zaragoza.

21 MR. ZARAGOZA: Thank you for the opportunity to  
22 say a few words tonight.

COMMENTER

23 My name is John Zaragoza, Council Member for the  
24 City of Oxnard. I understand that the City Council, of the  
25 City of Oxnard, is a responsible permitting agency for the

T005-2.1



1 proposed LNG facility and will submit comments relating to  
2 the draft EIS/EIR by December 20, to the responsible State  
3 and federal agencies.

4 Tonight, I want to take this opportunity to  
5 express some of the concerns that I have in advance of our  
6 official response.

7 I'm aware, ladies and gentlemen, that California  
8 and the Western United States are in need of more source in  
9 energy, yet, yet, I must be concerned for the safety and  
10 quality of life of Oxnard community, which I represent.

11 The City of Oxnard, ladies and gentlemen, has been  
12 host to many landfills, electrical plants, and companies,  
13 such as Halaco, who serve and satisfy the needs of other  
14 cities, which also jeopardize our community's environment  
15 and quality of life.

16 Oxnard is home to 200,000 habitats -- inhabitants,  
17 excuse me. This population should not and must not be put  
18 at risk of a technology that is unsafe and unproven. A  
19 place with less and, better yet, no population, will be much  
20 better suited for a project which has as many risks as this  
21 one.

22 I know other sites were eliminated for such  
23 reasons as significant recreation areas, interference with  
24 coastal and land use, areas such as Camp Pendleton, San  
25 Diego, and so forth, and other cities were not considered

#### T005-2.1 (cont'd)

#### T005-2.2

Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. The Cabrillo Port must be designed in accordance with applicable standards, and the U.S. Coast Guard has final approval. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies regulations that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains information on pipeline safety and inspections. Impact EJ-1 in Section 4.19.4 addresses additional pipeline design requirements in areas of low-income and minority communities. The EIS/EIR's analyses have been developed with consideration of these factors and regulations and in full conformance with the requirements of NEPA and the CEQA.

#### T005-2.3

Section 3.3.7 contains information on the specific California locations considered in the alternatives analysis. The deepwater port would be 12.01 nautical miles (13.83 miles) offshore, as shown on Figure ES-1.

#### T005-2.2

#### T005-2.4

The USCG, MARAD, and the CLSC received an application for a deepwater port off the shore of Ventura County. The USCG and MARAD are therefore required under NEPA to evaluate this alternative as the Applicant's preferred alternative. The agencies have evaluated this alternative in comparison with the other reasonable alternatives in compliance with NEPA and the CEQA.

#### T005-2.3

The EIS/EIR initially evaluated 18 locations for the FSRU as potential locations for the deepwater port. It built on previous California Coastal Commission studies that evaluated nearly 100 locations. Section 3.3.7 contains information on other locations that were considered.

#### T005-2.4

1 because of population.

2 I believe that Oxnard -- I believe that Oxnard has  
3 all those reasons, too. We have the population and those  
4 reasons why the LNG should not be located here, in Oxnard.

5 An LNG offshore facility creates risks for Oxnard  
6 that cannot be quantified. A high pressure pipeline,  
7 running under the homes, and streets, and playgrounds of our  
8 community can severely impact the safety of our Oxnard  
9 residents, businesses, and our children.

10 We are concerned that the draft EIR impact may not  
11 sufficiently address or mitigate all the concerns that the  
12 Oxnard City Council had in its letter. And quickly, I want  
13 to enumerate nine of those items.

14 Number one, the amount of emissions and potential  
15 violations of air quality standards have not been mitigated.

16 Number two, the potential disturbance of marine  
17 life associated with a floating platform.

18 Number three, the potential disturbance of coastal  
19 habitat associated with the horizontal drilling and open  
20 trenching onshore.

21 The impacts of high pressure pipeline adjacent to  
22 schools, parks, and residential areas.

23 The potential for traffic disruption, during  
24 construction of pipelines, to the City of Oxnard.

25 The potential to direct and indirect economic

T005-2.5

T005-2.5

Section 3.3.7 contains information on the specific California locations considered in the alternatives analysis. The deepwater port would be 12.01 nautical miles (13.83 miles) offshore, as shown on Figure ES-1.

T005-2.6

Section 4.2.8 contains information on safety requirements for pipelines. Section 4.13.1 discusses the proximity of the proposed pipeline routes to residences and schools.

T005-2.7

T005-2.6

Section 4.2 and Appendix C contain additional and revised information on public safety.

T005-2.8

T005-2.7

Section 4.2.8 addresses safety issues related to natural gas pipelines. Section 4.2.8.4 contains information on the estimated risk of Project pipeline incidents.

T005-2.9

T005-2.8

In accordance with NEPA and the CEQA regulations, the lead Federal and State agencies have responded specifically to all comments, both oral and written, that concern the Project's environmental issues received during public comment periods. All comments and responses are included in the Final EIS/EIR.

T005-2.10

T005-2.11

T005-2.12

T005-2.13

T005-2.14

T005-2.9

The Project has been modified since issuance of the October 2004 Draft EIS/EIR. See Section 1.4.2 for a summary of Project changes. Section 4.6.1.3 contains revised information on Project emissions and proposed control measures. Section 4.6.4 discusses the health effects attributed to air pollutants and includes revised impacts and mitigation measures.

T005-2.10

Section 4.7.4 contains information on impacts on marine life.

T005-2.11

Project impacts on coastal ecosystems would be limited to the pipeline corridor during construction and operation (see Section 2.1). The shore crossing required for the proposed Project would be installed beneath Ormond Beach. With the proposed mitigation, the potential impacts of construction, operation, or an accident on terrestrial biological resources would be reduced to a level that is below the significance criteria.

T005-2.12

Section 4.13.1 contains information on sensitive land uses in proximity to proposed and alternative pipeline routes, such as schools. There are no schools in the immediate vicinity of either of the proposed pipeline routes. Section 4.2.8 describes regulations regarding pipelines, including the requirement to establish public education programs to prevent and respond to pipeline emergencies. Section 4.2.8.4 contains information on the estimated risk of Project pipeline incidents. Section 4.16.1.2 describes emergency planning and response capabilities in the Project area.

The proposed pipelines within Oxnard city limits would meet standards that are more stringent than those of existing pipelines because they would meet the minimum design criteria for a U.S. Department of Transportation (USDOT) Class 3 location. Also, MM PS-4c includes the installation of additional mainline valves equipped with either remote valve controls or automatic line break controls. SoCalGas operates high-pressure natural gas pipelines throughout Southern California.

T005-2.13

Section 4.17.4 contains information on the effects of pipeline construction on traffic.

T005-2.14

Section 4.16 contains information on this topic.